

GP 2164
PATENT

Case Docket No. AUTOB.059A
Date: April 12, 2002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Kevin J. Wagoner, et al.
Appl. No. : 09/283,120
Filed : March 31, 1999
For : CONTINUOUS ONLINE
AUCTION SYSTEM AND
METHOD
Examiner : Millin, Vincent A.
Group Art Unit : 3624
2164

) I hereby certify that this correspondence and all marked
) attachments are being deposited with the United States
) Postal Service as first class mail in an envelope
) addressed to: United States Patent and Trademark
) Office, P.O. Box 2327, Arlington, VA 22202, on

12 April 02
(Date)

Peter M. Midgley
Peter M. Midgley, Reg. No. 44,239

TRANSMITTAL LETTER

United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

ATTENTION: APPLICATION BRANCH

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) Submission in Response to the March 13, 2002 Notice of Non-Compliant Amendment (37 CFR 1.121).
- (X) A copy of the March 13, 2002 Notice of Non-Compliant Amendment sent by the Patent Office.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

Peter M. Midgley
Peter M. Midgley
Registration No. 44,239
Attorney of Record

RECEIVED

APR 22 2002

Technology Center 2100

RECEIVED

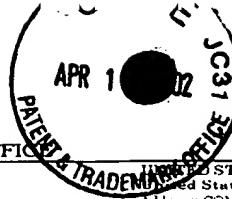
JUN 06 2002

GROUP 3600

UTOB.059A R.S.
UN/ASR/UXS



COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/283,120 | 03/31/1999 | KEVIN J. WAGONER | AUTOB.059A | 9530 |

20995 7590 03/13/2002

KNOBBE MARTENS OLSON & BEAR LLP
620 NEWPORT CENTER DRIVE
SIXTEENTH FLOOR
NEWPORT BEACH, CA 92660

EXAMINER

MILLIN, VINCENT A

ART UNIT

PAPER NUMBER

2164

DATE MAILED: 03/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED

APR 22 2002

Technology Center 2100

RECEIVED

APR 26 2002

GROUP 3600



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 2023
www.uspto.gov



RECEIVED

APR 22 2002

Paper No.
Technology Center 2100

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 2-26-02 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT):

- ☐ 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- ☒ 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- ☐ 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- ☐ 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: Please submit a new amend along with the mark-up copy of the specification of the amend. Example of how it should be is on the next page.
(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. A condensed version of a sample amendment format is attached.

- ☐ **PRELIMINARY AMENDMENT:** Unless applicant **supplies the omission or correction** to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to **supply the omission or correction noted above** in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Legal Instruments Examiner (LIE)

(Rev. 12/01)

RECEIVED

APR 26 2002

GROUP 3600

ATTACHMENT:

SAMPLE AMENDMENT FORMAT



Conventional Heading Information
for Amendment Supplied Here (Applicant, Appl. No., etc)

AMENDMENT

Sir:

In response to the Office action of October 10, 2000, please amend the above-identified application as follows:

In the Specification:

Please replace the paragraph beginning at page 5, line 15, with the following rewritten paragraph:

-- In this construction the electric heating elements are positioned directly beneath the iron grid bars and melted fat is carried off in grooves formed in the upper surfaces of the bars. --

In the claims:

Please cancel claim 6.

Please amend claim 7 as follows:

7. (Amended) A griller as claimed in claim 1 wherein the power consumption of the heater element is 1250 watts and the weight of the grill member is about 3.5 kg.

RECEIVED

APR 22 2002

Technology Center 2100

(Page Break)

REMARKS/ARGUMENTS

Claims 1-5 and 7-10 remain in this application. Claim 6 has been canceled. Claim 7 has been amended.

Claims.....

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

SIGNATURE_____

(Page Break)

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the specification:

Paragraph beginning at line 15 of page 5 has been amended as follows:

In this construction the electric heating elements are positioned directly beneath the iron grid bars and melted fat is carried off in grooves formed in the upper surfaces of the bars.

In the claims:

Claim 6 has been canceled.

Claim 7 has been amended as follows:

7. (Amended) A griller as claimed in claim 1 wherein the power consumption of the heater element is 1250 ~~1600~~ watts and the weight of the grill member is about 3.5 kg.

RECEIVED

APR 26 2002

GROUP 3600